



General Assembly

## ***Amendment***

***January Session, 2015***

**LCO No. 9101**



Offered by:

REP. HENNESSY, 127<sup>th</sup> Dist.

SEN. MOORE, 22<sup>nd</sup> Dist.

SEN. GOMES, 23<sup>rd</sup> Dist.

REP. STALLWORTH, 126<sup>th</sup> Dist.

REP. SANTIAGO, 130<sup>th</sup> Dist.

REP. BAKER, 124<sup>th</sup> Dist.

REP. STAFSTROM, 129<sup>th</sup> Dist.

To: Senate Bill No. **882**

File No. 135

Cal. No. 651

(As Amended by Senate Amendment Schedule "A")

### ***"AN ACT CONCERNING MUNICIPAL INFRASTRUCTURE."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (e) of section 7-421 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2015*):

6 (e) Any municipal employee shall have the right to serve on any  
7 governmental body of the town in which such employee resides except  
8 any body which has responsibility for direct supervision of such  
9 employee. Notwithstanding the provisions of this subsection and  
10 except as provided in subsection (f) of this section, (1) no such  
11 employee who is a manager or who serves at the pleasure of an  
12 appointing authority of the municipality in which he or she is

13 employed shall serve on [any of the following] any board of finance  
14 created pursuant to chapter 106 or any special act or municipal charter  
15 or any body exercising the powers of a board of finance unless such  
16 employee is permitted to serve pursuant to the provisions of a  
17 municipal charter or home rule ordinance or serves because of  
18 membership on the legislative body of [the] a municipality [: (A) Any  
19 board of finance created pursuant to chapter 106 or any special act or  
20 municipal charter; (B) any] having a population of less than one  
21 hundred forty thousand as shown by the most recent federal decennial  
22 census; (2) no such employee shall serve on any of the following unless  
23 such employee is permitted to serve pursuant to the provisions of a  
24 municipal charter or home rule ordinance or serves because of  
25 membership on the legislative body of the municipality: (A) Any body  
26 exercising zoning powers pursuant to chapter 124 or any special act or  
27 municipal charter; [(C)] (B) any body exercising land use powers  
28 pursuant to chapter 125a or any special act or municipal charter; [(D)]  
29 (C) any body exercising planning powers pursuant to chapter 126 or  
30 any special act or municipal charter; or [(E)] (D) any body regulating  
31 inland wetlands and watercourses pursuant to chapter 440 or any  
32 special act or municipal charter; [and (2)] (3) any municipality may, by  
33 ordinance adopted by its legislative body, authorize such employees to  
34 serve on (A) any body exercising zoning powers pursuant to chapter  
35 124 or any special act or municipal charter; (B) any body exercising  
36 land use powers pursuant to chapter 125a or any special act or  
37 municipal charter; (C) any body exercising planning powers pursuant  
38 to chapter 126 or any special act or municipal charter; or (D) any body  
39 regulating inland wetlands and watercourses pursuant to chapter 440  
40 or any special act or municipal charter.

41 (f) Any municipal employee who serves at the pleasure of the  
42 mayor of the municipality in which he or she is employed who is  
43 serving on a board of finance created pursuant to chapter 106, any  
44 special act or municipal charter or on any body exercising the powers  
45 of a board of finance in a municipality having a population of more  
46 than one hundred forty thousand as shown by the most recent federal

47 decennial census on October 1, 2015, may continue to serve on such  
48 board or body and may be reappointed or reelected to such office,  
49 provided nothing in this subsection shall authorize such a municipal  
50 employee who has ceased serving on such board or body to be  
51 appointed or to be a candidate for such office unless such employee is  
52 permitted to serve pursuant to the provisions of a municipal charter or  
53 home rule ordinance.

54 Sec. 2. Subsection (a) of section 8-19 of the general statutes is  
55 repealed and the following is substituted in lieu thereof (*Effective*  
56 *October 1, 2015*):

57 (a) Any municipality may create by ordinance a planning  
58 commission, which shall consist of five members, who shall be electors  
59 of such municipality and whose terms of office and method of election  
60 or appointment shall be fixed in the ordinance. The ordinance may  
61 provide that members may be municipal employees if the municipality  
62 has adopted an ordinance authorizing such membership pursuant to  
63 the provisions of subparagraph (C) of subdivision [(2)] (3) of  
64 subsection (e) of section 7-421, as amended by this act. The chief  
65 executive officer of the municipality and the engineer thereof or  
66 commissioner of public works, if any, shall also be members of the  
67 commission, without voting privileges. The terms of office shall be so  
68 arranged that the terms of not more than three members shall expire in  
69 any one year. Unless otherwise provided by charter, vacancies shall be  
70 filled by the commission for the unexpired portion of the term. Upon  
71 the adoption of this section by ordinance as herein provided, and the  
72 appointment or election of a commission thereunder, any planning  
73 commission in the municipality established under any previous act of  
74 the General Assembly shall cease to exist, and its books and records  
75 shall be turned over to the commission established under this section,  
76 provided all regulations promulgated by such planning commission  
77 prior to that time shall continue in full force and effect until modified,  
78 repealed or superseded in accordance with the provisions of this  
79 chapter. The area of jurisdiction of a planning commission created by a

80 town includes any city or borough therein without a legally  
81 constituted planning commission for all planning purposes except  
82 those specified in sections 8-24 and 8-29. Powers granted under said  
83 sections may be delegated by the legislative body of such city or  
84 borough to the planning commission of the town in which such city or  
85 borough is situated. Any city or borough in which a planning  
86 commission has been previously established may, by ordinance,  
87 designate the commission established under this section in the town in  
88 which such city or borough is situated to be the planning commission  
89 of such city or borough, and such commission shall supersede the  
90 planning commission previously established in such city or borough.  
91 The commission shall elect a chairman and a secretary from its  
92 members, shall adopt rules for the transaction of business and shall  
93 keep a public record of its activities. The planning commission of each  
94 municipality shall file an annual report with the legislative body  
95 thereof."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	7-421(e)
Sec. 2	<i>October 1, 2015</i>	8-19(a)